

[PROPOSED AMENDED] Rule 1007-1

LISTS, SCHEDULES, STATEMENTS, AND OTHER REQUIRED DOCUMENTS

(a) ***Requirements at Commencement of Case.*** The following shall be submitted at the commencement of a case for relief:

(1) ***Chapter 7, 9, 13, or 12.*** The petition in accordance with Local Rule 5005-2 and a matrix in accordance with Local Rule 1007-2.

(2) ***Chapter 11.*** The petition in accordance with Local Rule 5005-2; a matrix; a list of equity security holders; and a list of creditors holding the twenty largest unsecured claims in accordance with Local Rule 1007-2.

(3) ***All Chapters.*** Individual debtors are required to file a Statement of Social Security Number (which sets out the debtor's full social security number, or states that the debtor does not have a social security number) signed under penalty of perjury by the individual debtor. In cases filed by Filing Users, the Filing User shall maintain the original Statement of Social Security Number for a period of four years after closing the case. Failure to submit the Statement of Social Security Number may lead to dismissal of the case.

(b) ***Payment Advices Not Filed with the Court unless Ordered.*** Copies of payment advices or other evidence of payment ("Payment Advices") shall not be filed with the Court unless otherwise ordered. Under 11 U.S.C. § 521(a)(1)(B)(iv) and Fed. R. Bankr. P. 1007(b)(1)(E), unless the Court orders otherwise, the debtor is required to file with the Court copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition by the debtor from any employer of the debtor. The purpose of this requirement is accomplished by requiring that Payment Advices be provided to the United States Trustee, to the trustee or any creditor requesting copies. Additionally, privacy concerns are accommodated by not requiring the filing of the Payment Advices.

(c) ***Requirement to Provide Payment Advices to the Trustee.*** The debtor shall provide Payment Advices to the trustee, if requested, to the United States Trustee, and to any creditor who timely requests copies of the Payment Advices, at least seven days before the time of the meeting of creditors conducted pursuant to 11 U.S.C. § 341. To be considered timely, a creditor's request must be received at least 14 days before the first date set for the meeting of creditors.

Notes of Advisory Committee

2011 Amendment

This amendment incorporates archived Administrative Orders FLMB-2010-1 and JAX-2006-1 Orders on Filing Payment Advices Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv). The amendment exercises the Court's discretion provided by Section 521(a)(1)(B)(iv) and Fed. R. Bankr. P. 1007(b)(1)(E) to waive the requirement of filing Payment Advices with the Court. In doing so, the Court recognizes that the underlying purpose of these provisions is accomplished by requiring that Payment Advices be provided to the United States Trustee, the trustee or any creditor requesting copies. Additionally, privacy concerns are addressed by avoiding filing Payment Advices in the public record. The addition of headings and subheadings is a stylistic rather than substantive change.

2004 Amendment

This amendment deletes the requirement to submit additional paper copies of petitions, schedules, or creditor lists. Those copies, which were distributed to case trustees, Internal Revenue Service, Securities and Exchange, or to the United States Trustee, will now be accessible on the Court's Electronic Filing System. It also deletes the requirement for an individual debtor not represented by an attorney to file a statement of assistance received in connection with the filing of the case. Fed. R. Bankr. P. 2016(c) requires every bankruptcy petition preparer to file a declaration under penalty of perjury disclosing any fee received from or on behalf of the debtor in compliance with Section 110(h)(1). Further, in compliance with the Judicial Conference's policy on privacy, the rule requires the debtor's social security number be "submitted" to the court, rather than "filed." A Filing User is responsible for submitting the Statement of Social Security Number containing an image of the debtor's original signature as a separate non-viewable entry in CM/ECF and for submitting the debtor's full social security number during the case filing or case upload process. The amendment also requires a Chapter 11 debtor to submit a Case Management Information form at the beginning of a case.

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment is effective on April 15, 1997.

Paragraph (a) of this rule was formerly Local Rule 2.04(g). Paragraph (b) of this rule was formerly Local Rule 2.04(c). The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

1995 Amendment

New subparagraph (c) to Local Rule 2.04 adds a requirement that individuals in bankruptcy cases who are not represented by an attorney are required to file with the petition an executed statement of assistance received in connection with the filing of the case in a form available from the Clerk's Office.

These amendments were effective on February 15, 1995.